Appl. Serial No. 10/537,954

Reply to Final Office Action dated April 21, 2008

Amdt. dated August 21, 2008

1 – 14 (Previously Cancelled)

15. (Currently Amended) A nuclear fuel rod for a boiling water nuclear reactor,

comprising:

a cladding tube, defining a closed inner space and which is

manufactured from at least one of the materials in the group zirconium and a

zirconium-based alloy;

a plurality of nuclear fuel pellets, arranged in the inner space in the

cladding tube so that the nuclear fuel pellets fill part of the inner space;

an initial fill gas arranged in the closed inner space in order to fill

the rest of the inner space;

whereby the initial fill gas contains and proportion of inert gas and

a proportion of carbon monoxide; and wherein

the internal pressure (Pfill) of the initial gas in the nuclear fuel rod

amounts to at least about 2 bar (abs) at room temperature (T<sub>R</sub>) and the proportion of

carbon monoxide is at least 4 volume percent of the initial fill gas; and

wherein the cladding tube has an inner surface that faces the inner

space and the material in the cladding tube nearest the inner surface is pre-oxidized to

provide a surface layer that comprises zirconium oxide; and

wherein the material of the cladding tube comprises sites capable

of adsorbing hydrogen, the carbon monoxide of the initial fill gas being provided to

block the sites.

16. (Cancelled)

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17. (Previously Presented) A nuclear fuel rod according to claim 16, wherein the

proportion of carbon monoxide constitutes at least 5 volume percent of the initial fill

gas.

18. (Previously Presented) A nuclear fuel rod according to claim 17, wherein the

proportion of carbon monoxide constitutes at least 6 volume percent of the initial fill

gas.

19-23 (Cancelled)

24. (Previously Presented) A nuclear fuel rod according to claim 15, wherein the

inert gas consists substantially of helium.

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25. (Currently Amended) A nuclear fuel assembly for a boiling water nuclear reactor, said nuclear fuel assembly comprising a plurality of nuclear fuel rods, each fuel rod including:

a cladding tube, defining a closed inner space and which is manufactured from at least one of the materials in the group zirconium and a zirconium-based alloy;

a plurality of nuclear fuel pellets, arranged in the inner space in the cladding tube so that the nuclear fuel pellets fill part of the inner space;

an initial fill gas arranged in the closed inner space in order to fill the rest of the inner space;

whereby the initial fill gas contains a proportion of inert gas and a proportion of carbon monoxide; and wherein

the internal pressure ( $P_{\rm fill}$ ) of the fill gas in the nuclear fuel rod amounts to at least about 2 bar (abs) at room temperature ( $T_{\rm R}$ ) and the proportion of carbon monoxide is at least 4 volume percent of the initial gas; and

wherein the cladding tube has an inner surface that faces the inner space and the material in the cladding tube nearest the inner surface is pre-oxidized to provide a surface layer that comprised zirconium oxide; and

wherein the material of the cladding tube comprises sites capable of adsorbing hydrogen, the carbon monoxide of the initial fill gas being provided to block the sites.

26-29 (Cancelled)